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 **Energy
Communities Alliance**
Local Concerns. National Impact.

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May 27, 2004

Ms. Robin Sweeney
EIS Document Manager
Office of National Transportation
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1551 Hillshire Drive, M/S 011
Las Vegas, Nevada 89134

RE: Comments on the Scope of the Environmental Impact Statement for the
Alignment, Construction, and Operation of a Rail Line to a Geologic Repository
at Yucca Mountain, Nye County, NV

Dear Ms. Sweeney:

On behalf of the Board of Energy Communities Alliance ("ECA"), I am pleased to provide the following comments on the scope of the environmental impact statement ("EIS") for the alignment, construction, and operation of a rail line to a geologic repository at Yucca Mountain in Nye County, Nevada.

ECA is the organization of local governments that are adjacent to or impacted by Department of Energy ("DOE") activities. Our mission is to bring together local government officials to share information, establish policy positions, and advocate community interests in order to effectively address an increasingly complex set of constituent, environmental, regulatory and economic development needs.

ECA commends DOE for moving forward with the identification of the preferred mode of transportation (rail) and the preferred rail corridor ("Caliente Corridor") for further evaluation. ECA concurs with DOE's decision to prepare an EIS that addresses alignment alternatives, rail line construction and operation, issues that will directly affect the communities along the corridor. ECA encourages DOE to prepare a comprehensive EIS that is capable of supporting a final alignment decision that minimizes impacts to the surrounding communities. For example, where impacts to existing private and public landowners and users cannot be avoided, the EIS should identify feasible methods to mitigate such impacts, including — where other options do not exist — compensation.

Beyond consideration of land use issues, ECA strongly believes the EIS should identify and evaluate potential economic impacts/benefits of various alignment alternatives and use of local and regional contractors, employees and locally derived construction materials in the construction of the rail line. Further, the economic impact of using local and regional vendors and employing area residents to maintain and operate the rail line should be evaluated within the EIS.

DOE is encouraged to identify and evaluate economic impacts associated with locating various transportation systems and facilities along the Caliente Corridor.

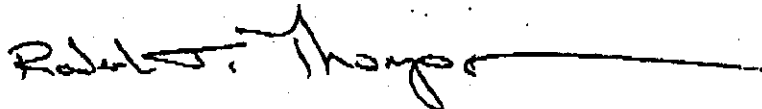
DOE should identify all reasonable means to maximize favorable transportation system economic impacts in the region, including provisions that allow the shared use of the railroad for general commerce and for the transport of locally procured materials for the construction of a repository.

While the EIS for the proposed Yucca Mountain repository evaluated health risks associated with construction and operation of the Caliente rail line and related intermodal transportation systems, ECA recommends that the current rail alignment EIS identify and evaluate feasible methods to mitigate said risks. Appropriate impact mitigation includes locating transportation facilities and employees in the region. Training, transportation facilities and equipment for emergency first responders, emergency medical services and emergency communications also should be provided to mitigate impacts.

BCA encourages DOE to think broadly when considering the scope of possible decisions to be afforded coverage through the rail alignment EIS. The scope of the EIS should include National Environmental Policy Act coverage of all possible rail system-related decisions that might be made by DOE, including potential actions to mitigate adverse impacts. In this regard DOE is encouraged to consider the feasibility of using cooperative agreements with all local and county governments along the Caliente Corridor as a mechanism for impact issue identification and resolution, and in developing and implementing effective strategies for mitigating impacts.

Thank you for accepting my comments on behalf of the BCA Board of Directors.

Sincerely,



Robert Thompson
Chair